

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9055

IN THE MATTER OF:

Served October 17, 2005

Application of BK CHARTER, INC., to)	Case No. AP-2005-163
Acquire Certificate No. 416 from)	
BRENDA KITTRELL, Trading as BK)	
TRANSPORTATION SERVICE)	

By application accepted for filing September 26, 2005, BK Charter, Inc., a Maryland corporation and non-WMATC carrier, seeks Commission approval to acquire Certificate No. 416 from Brenda Kittrell, trading as BK Transportation Service.

Applicant proposes commencing operations with one van and one minibus. Applicant's proposed tariff contains hourly group charter rates with a minimum charge.

Under Article XI, Section 11(a) of the Compact, a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The public interest analysis focuses on the acquiring party's fitness.¹

Applicant's Exhibit I is incomplete. Applicant will be directed to file an amended Exhibit I consisting of proof that both parties have agreed to the transfer and a statement addressing the impact of the transfer on competition and employees.

This proceeding is hereby initiated to determine whether applicant is fit.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than October 31, 2005, notice in the form prescribed by the staff of the Commission.

¹ In re Quality Med. Supplies LLC, t/a F & J Healthcare Sers., & Tingem Health Care Servs. Inc., No. AP-04-25, Order No. 8033 (May 27, 2004).

2. That applicant shall file with the Commission, no later than November 14, 2005, an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than November 14, 2005, an amended Exhibit I consisting of proof that both parties have agreed to the transfer and a statement addressing the impact of the transfer on competition and employees.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is November 14, 2005, and that copies must be served on applicant's president, Brenda Kittrell, 12138 Central Avenue, #564, Mitchellville, MD 20721.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'W.S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director